S.B. Criminal Misc. Petition No. 1027/2005

(Suresh Bhurani Vs. State of Rajasthan & ors.)

Date of Order: September 20, 2006

HON'BLE MR. H.R. PANWAR, J.

Mr. D.N. Yadav, for the petitioner.
Mr. Ashok Upadhyaya, Public Prosecutor for the State.
Mr. M.K. Trivedi, for the non-petitioner No.2.

This criminal miscellaneous petition is directed against the order dated 18-3-2004 passed by the Judicial Magistrate No.3,. Jodhpur (for short, "the trial Court" hereinafter), whereby the trial Court took cognizance of the offences under Sections 420, 467, 468 and 120-B, IPC against the petitioner.

I have heard learned counsel for the parties. Carefully gone through the impugned order.

It is contended by the learned counsel for the petitioner that between the same parties, there was a civil suit with regard to forging of a Will and that matter has been decided in favour of the petitioner.

From the perusal of the impugned order, it appears that in the instant case, the subject matter is not the Will but it is a rent note. In the circumstances, therefore, no case for interference in the impugned order is made out.

The criminal miscellaneous petition is, therefore, dismissed.

(H.R. PANWAR), J.

mcs